

EXHIBIT A

SWARTZ CULLETON PC
547 E. Washington Avenue
Newtown, PA 18940
215-550-6553
Attorneys for Plaintiffs

MG, a minor, by and through his P/N/G	:	SUPERIOR COURT OF NEW JERSEY
Casey Zimmer, and Casey Zimmer, Individually	:	LAW DIVISION: COUNTY OF MONMOUTH
[REDACTED]	:	Docket No.
[REDACTED]	:	
	:	
Plaintiff	:	
vs.	:	CIVIL ACTION
Walmart Inc. d/b/a Walmart Supercenter #5142	:	
3575 NJ-66	:	PREMISES LIABILITY COMPLAINT
Neptune Township, NJ 07753	:	DEMAND FOR TRIAL BY JURY
and	:	DESIGNATION OF TRIAL ATTORNEY
John Does 1-10 (fictitious persons responsible for	:	
the damages suffered by Plaintiff)	:	
and	:	
ABC Corporations 1-10 (fictitious corporations	:	
or entities responsible for the damages suffered	:	
by Plaintiff)	:	
Defendants	:	

Plaintiffs, MG, a minor, by and through his P/N/G Casey Zimmer, and Casey Zimmer, Individually, residing at the above-captioned address as a citizen and resident of the State of New Jersey, complaining of the Defendants, depose and say:

FIRST COUNT

1. Plaintiff, MG, is a minor with a date of birth of [REDACTED]. At all times relevant herein, the minor Plaintiff was five (5) years of age.
2. On or about August 29, 2020, minor Plaintiff, MG, was lawfully inside the premises known as Walmart Supercenter #5142, located at 3575 NJ-66, Neptune Township, NJ 07753.
3. At all times relevant herein, Defendant, Walmart Inc. d/b/a Walmart Supercenter #5142, owned, occupied, operated, managed and/or maintained the aforementioned premises known as Walmart Supercenter #5142, located at 3575 NJ-66, Neptune Township, NJ

07753.

4. Defendant, Walmart Inc. d/b/a Walmart Supercenter #5142, did so negligently and carelessly own, occupy, operate, manage and/or maintain the aforesaid premises so as to cause a dangerous condition to exist thereon, to wit, allowing defective shelving design, construction, maintenance, placement and/or warnings on the premises that pose a risk to those lawfully traversing the premises, such as minor Plaintiff.
5. As a direct and proximate result of the negligence of the Defendant, as aforesaid, minor Plaintiff, MG, on August 29, 2020, while turning the corner to go down an isle on the premises known as Walmart Supercenter #5142, located at 3575 NJ-66, Neptune Township, NJ 07753 tripped, fell and hit his head on a sharp edge of a shelf, and was caused to be injured due to the aforesaid dangerous condition and was thus caused to sustain and did sustain serious and permanent personal injuries more fully set forth herein, requiring the care and treatment of physicians, hospitalization and medication, and has been and will in the future continue to be hampered in his daily routine.
6. As a direct and proximate result of the negligence of the Defendant, as aforesaid, minor Plaintiff, MG, was thus caused to sustain and did sustain serious and permanent personal injuries including, but not limited to, forehead laceration and scar requiring stitches, the care and treatment of physicians, hospitalization and medication, and has been and will in the future continue to be hampered in his daily routine.
7. As a further result of the incident described herein, minor Plaintiff, his parent and natural guardian, Casey Zimmer, have been obliged to expend various sums for the treatment of her injuries and will incur such expenditures for an indefinite time in the future.
8. As a further result of the aforesaid occurrence, minor Plaintiff and his parent and natural

guardian, Casey Zimmer, have and/or may hereinafter incur other financial expenses all in an effort to treat and cure minor Plaintiff of the injuries sustained in the aforesaid accident.

WHEREFORE, Plaintiffs, MG, a minor, by and through his P/N/G Casey Zimmer, and Casey Zimmer, Individually, demands judgment against the Defendant, Walmart Inc. d/b/a Walmart Supercenter #5142, in the amount of their damages together with interest and costs of suit.

SECOND COUNT

9. Plaintiff incorporates herein by reference paragraphs one (1) through eight (8) of this Complaint as if the same were set forth herein at length.
10. Defendants, John Does 1-10, are individuals whose identities are not yet known to Plaintiff, but who, at all times relevant herein, owned, occupied, operated, repaired, designed, managed, and/or maintained the aforementioned premises located at 3575 NJ-66, Neptune Township, NJ 07753 and/or, either directly or through their agents, servants, employees or apparent agents, caused or created the dangerous condition that led to minor Plaintiff's fall and injuries.
11. On or about August 29, 2020, minor Plaintiff, MG, was lawfully inside the premises known as Walmart Supercenter #5142, located at 3575 NJ-66, Neptune Township, NJ 07753.
12. Defendants, John Does 1-10, did so negligently and carelessly own, occupy, operate, manage and/or maintain the aforesaid premises so as to cause a dangerous condition to exist thereon, to wit, allowing defective shelving design, construction, maintenance, placement and/or warnings on the premises that pose a risk to those lawfully traversing the premises, such as minor Plaintiff.
13. As a direct and proximate result of the negligence of the Defendant, as aforesaid, minor

Plaintiff, MG, on August 29, 2020, while turning the corner to go down an aisle on the premises known as Walmart Supercenter #5142, located at 3575 NJ-66, Neptune Township, NJ 07753 tripped, fell and hit his head on a sharp edge of a shelf, and was caused to be injured due to the aforesaid dangerous condition and was thus caused to sustain and did sustain serious and permanent personal injuries more fully set forth herein, requiring the care and treatment of physicians, hospitalization and medication, and has been and will in the future continue to be hampered in his daily routine.

14. As a direct and proximate result of the negligence of the Defendant, as aforesaid, minor Plaintiff, MG, was thus caused to sustain and did sustain serious and permanent personal injuries including, but not limited to, forehead laceration and scar requiring stitches, the care and treatment of physicians, hospitalization and medication, and has been and will in the future continue to be hampered in his daily routine.
15. As a further result of the incident described herein, minor Plaintiff, his parent and natural guardian, Casey Zimmer, have been obliged to expend various sums for the treatment of her injuries and will incur such expenditures for an indefinite time in the future.
16. As a further result of the aforesaid occurrence, minor Plaintiff and his parent and natural guardian, Casey Zimmer, have and/or may hereinafter incur other financial expenses all in an effort to treat and cure minor Plaintiff of the injuries sustained in the aforesaid accident.

WHEREFORE, Plaintiffs, MG, a minor, by and through his P/N/G Casey Zimmer, and Casey Zimmer, Individually, demand judgement against Defendants, John Does 1-10, in the amount of their damages together with interest and costs of suit.

THIRD COUNT

17. Plaintiff incorporates herein by reference paragraphs one (1) through sixteen (16) of this Complaint as if the same were set forth herein at length.
18. Defendants, ABC Corporations 1-10, are corporations and/or entities whose identities are not yet known to Plaintiff, but which, at all times relevant herein, owned, occupied, operated, repaired, designed, managed, and/or maintained the aforementioned premises located at 3575 NJ-66, Neptune Township, NJ 07753 and/or, either directly or through their agents, servants, employees or apparent agents, caused or created the dangerous condition that led to minor Plaintiff's fall and injuries.
19. On or about August 29, 2020, minor Plaintiff, MG, was lawfully inside the premises known as Walmart Supercenter #5142, located at 3575 NJ-66, Neptune Township, NJ 07753.
20. Defendants, ABC Corporations 1-10, did so negligently and carelessly own, occupy, operate, manage and/or maintain the aforesaid premises so as to cause a dangerous condition to exist thereon, to wit, allowing defective shelving design, construction, maintenance, placement and/or warnings on the premises that pose a risk to those lawfully traversing the premises, such as minor Plaintiff.
21. As a direct and proximate result of the negligence of the Defendant, as aforesaid, minor Plaintiff, MG, on August 29, 2020, while turning the corner to go down an aisle on the premises known as Walmart Supercenter #5142, located at 3575 NJ-66, Neptune Township, NJ 07753 tripped, fell and hit his head on a sharp edge of a shelf, and was caused to be injured due to the aforesaid dangerous condition and was thus caused to sustain and did sustain serious and permanent personal injuries more fully set forth herein, requiring the care and treatment of physicians, hospitalization and medication, and has been and will

in the future continue to be hampered in his daily routine.

22. As a direct and proximate result of the negligence of the Defendant, as aforesaid, minor Plaintiff, MG, was thus caused to sustain and did sustain serious and permanent personal injuries including, but not limited to, forehead laceration and scar requiring stitches, the care and treatment of physicians, hospitalization and medication, and has been and will in the future continue to be hampered in his daily routine.
23. As a further result of the incident described herein, minor Plaintiff, his parent and natural guardian, Casey Zimmer, have been obliged to expend various sums for the treatment of her injuries and will incur such expenditures for an indefinite time in the future.
24. As a further result of the aforesaid occurrence, minor Plaintiff and his parent and natural guardian, Casey Zimmer, have and/or may hereinafter incur other financial expenses all in an effort to treat and cure minor Plaintiff of the injuries sustained in the aforesaid accident.

WHEREFORE, Plaintiffs, MG, a minor, by and through his P/N/G Casey Zimmer, and Casey Zimmer, Individually, demand judgment against the Defendants, ABC Corporations 1-10, in the amount of their damages together with interest and costs of suit.

SWARTZ CULLETON PC
Attorneys for Plaintiffs

by: /s/ Christopher J. Culleton
Christopher J. Culleton, Esq.

Dated: August 27, 2021

DEMAND FOR TRIAL BY JURY

Plaintiff hereby demands a trial by jury as to all issues.

SWARTZ CULLETON PC
Attorneys for Plaintiffs

by: /s/ Christopher J. Culleton
Christopher J. Culleton, Esq.

Dated: August 27, 2021

NOTICE OF TRIAL COUNSEL

Please take notice that Christopher J. Culleton, Esq. is hereby designated as Trial Counsel
in the above-captioned matter for the firm of Swartz Culleton PC, pursuant to R.4:25 et. seq.

SWARTZ CULLETON PC
Attorneys for Plaintiffs

by: /s/ Christopher J. Culleton
Christopher J. Culleton, Esq.

Dated: August 27, 2021

CERTIFICATION

Pursuant to the requirements of Rule 4:5-1 (NOTICE OF OTHER ACTIONS), I, the undersigned, do hereby certify to the best of my knowledge, information and belief, that except as hereinafter indicated, the subject matter of the controversy referred to in the within pleading is not the subject of any other Cause of Action, pending in any other Court, or of a pending Arbitration Proceeding, nor is any other Cause of Action or Arbitration Proceeding contemplated;

1. OTHER ACTIONS PENDING?.....YES ___ NO X___

A. If YES - Parties to other Pending Actions.

B. In my opinion, the following parties should be joined in the within pending Cause of Action.

2. OTHER ACTIONS CONTEMPLATED?.....YES ___ NO X___

A. If YES - Parties contemplated to be joined, in other Causes of Action.

3. ARBITRATION PROCEEDINGS PENDING?.....YES ___ NO X___

A. If YES - Parties to Arbitration Proceedings.

B. In my opinion, the following parties should be joined in the pending Arbitration Proceedings.

4. OTHER ARBITRATION PROCEEDINGS CONTEMPLATED?.....YES ___ NO X___

A. If YES - Parties contemplated to be joined to Arbitration Proceedings.

In the event that during the pendency of the within Cause of Action, I shall become aware of any change as to any facts stated herein, I shall file an amended certification and serve a copy thereof on all other parties (or their attorneys) who have appeared in said Cause of Action.

SWARTZ CULLETON PC
Attorneys for Plaintiffs

by: /s/ Christopher J. Culleton
Christopher J. Culleton, Esq.

Dated: August 27, 2021

Civil Case Information Statement

Case Details: MONMOUTH | Civil Part Docket# L-002978-21

Case Caption: G M VS WALMART INC.

Case Initiation Date: 08/27/2021

Attorney Name: CHRISTOPHER J CULLETON

Firm Name: SWARTZ CULLETON PC

Address: 547 EAST WASHINGTON AVENUE
NEWTOWN PA 18940

Phone: 2155506553

Name of Party: PLAINTIFF : G, M

Name of Defendant's Primary Insurance Company
(if known): Unknown

Case Type: PERSONAL INJURY

Document Type: Complaint with Jury Demand

Jury Demand: YES - 12 JURORS

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

Do you anticipate adding any parties (arising out of same transaction or occurrence)? NO

Are sexual abuse claims alleged by: M G? NO

Are sexual abuse claims alleged by: Casey Zimmer? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO **Title 59?** NO **Consumer Fraud?** NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule 1:38-7(b)*

08/27/2021
Dated

/s/ CHRISTOPHER J CULLETON
Signed

MONMOUTH COUNTY
SUPERIOR COURT
PO BOX 1270
FREEHOLD NJ 07728

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (732) 358-8700
COURT HOURS 8:30 AM - 4:30 PM

DATE: AUGUST 27, 2021
RE: G M VS WALMART INC.
DOCKET: MON L -002978 21

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 2.

DISCOVERY IS 300 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON GREGORY L. ACQUAVIVA

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 003
AT: (732) 358-8700 EXT 87871.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE
WITH R.4:5A-2.

ATTENTION:

ATT: CHRISTOPH J. CULLETON
SWARTZ CULLETON PC
547 EAST WASHINGTON AVENUE
NEWTOWN PA 18940

ECOURTS